

Egypt's Waste Management Law



INTRODUCTION

- On October 13, 2020, President AbdelFattah ElSisi ratified Egypt's new Waste Management Law (# 202/2020), which was approved by the House of Representatives on August 24, 2020. The law is Egypt's latest attempt to regulate the waste management industry by creating a new regulatory authority to oversee proper waste management and recycling practices, and develop a national strategy to improve waste disposal and recycling.
- The law seeks to provide investment incentives and other measures to encourage garbage collectors, small companies, private contractors, and recycling centres to join the formal economy.

OBJECTIVES

- The Law aims to create a waste management regulatory authority (WMRA) to oversee proper waste management and recycling practices.
- WMRA will be in charge of creating a national strategy to tackle the issue of waste management.

SECTIONS OF THE LAW





Previous Legislation and Regulations

Law 22/2020 is Egypt's first solid waste management legislation. The previous policy and legal framework was dispersed in many pieces of bylaws, decrees and regulations, including:

- Law # 38/1967 on General Public Cleaning and its amendment (Law # 31/1976), regulating the collection and disposal of solid waste from residential, commercial, industrial and public areas.
- Ministry of Housing Decree # 134/1968, implementing Law # 38/1967, governed the collection, transport and disposal of non-hazardous solid waste.
- Law # 106/1976, organizing construction works as well as construction and demolition debris.
- Law # 48/1982, granting authorizing authority to the Ministry of Irrigation to protect the Nile River and other waterways against pollution from solid waste.
- Presidential Decree # 284/1983, establishing the Cairo and Giza Beautification and Cleansing Authorities.
- Law # 4/1994 on Protecting the Environment and its Executive Regulations (#338/1995), created the Environment Affairs Agency (EEA), which was mandated with developing and implementing strategies for preserving the environment.
- Law #10/2005, establishing a solid waste collection fee which were added on to the electricity bills paid by households and businesses.
- Prime Minister Decree # 1741/2005, amending the Executive Regulations of Law 4/1994, and covering regulations for the selection of sites for recycling and landfilling as well as equipment entailed for waste collection and transfer.
- Article 37 (2) of Law # 9/2009, amending Law # 4/1994, prohibiting open burning of garbage and solid waste as well as placement, sorting, and treatment of wastes in areas rather than those specified out of residential, industrial and agricultural areas and waterway.
- Presidential Decree # 86/2010, regulating the closure of existing dumping sites and the landfill at Greater Cairo as well as the allocation of five new sites outside Cairo's residential and commercial belt.
- Prime Minister Decree #3005/2015, establishing an independent Waste Management Authority (WMA) mandated with developing and regulating a waste management strategy, in accordance with the Environment Law. WMA was tasked with carrying out the role(s) of the EEA on waste management, on handling hazardous and non-hazardous waste, and on protecting the environment from different types of pollution.



Challenges

- Previous legal provisions were too broad and general, or provided incomplete descriptions of a legal act, condition, or standard, or provided incomplete coverage of the range of issues that the laws and regulations were designed to address causing gaps in legislation.
- Structural problems in the waste management industry, including lack of a nationwide collection infrastructure and an uncondusive market to the byproducts of recycling
- High cost of waste management in Egypt. (Egypt produces 50,000-60,000 tonnes of solid waste per day, totaling 22 million tonnes annually. The cost of waste collection amounts to USD 30-75 (EGP 480-1100) per tonne in lower and middle income countries. In Egypt, the cost may reach EGP 480 per tonnes.) (Source: Enterprise Press)
- Lack of incentives for the private sector, including minimal financial resources by the government to pay service fees to recyclers who handle waste.
- Fragmented institutional framework. The responsibility of solid waste management was split between the Ministry of State for Environment Affairs/EEAA, Ministry of Local Development, Ministry of Housing, Ministry of Health and Population, Ministry of Irrigation and Water Resources, Ministry of Agriculture and Land Reclamation, Ministry of Trade and Industry, Ministry of Higher Education, and Ministry of Finance. Such fragmentation led to unclear institutional roles and responsibilities, duplication of efforts and lack of technical, organizational, institutional capacity and accountability.
- Lack of clear guidelines for local authorities on means of implementing Egypt's waste management laws and strategy.
- Lack of legal framework, planning, delivery, monitoring, liaison and satisfactory and appropriate understanding and capacity at the Governorate level.



Waste Management Regulatory Authority

Law # 202/2020 created the Waste Management Regulatory Authority (WMRA), with the following mandate:

- Developing and implementing a national waste management strategy
- Regulating, monitoring, evaluating and developing integrated waste management activities
- Developing investment opportunities in Egypt's waste management sector
- Issuing the necessary licenses and permits to undertake waste management activities.

WMRA will be run by a Board of Directors. Its Executive Director will be appointed by the Prime Minister for a 4-year term.



Hazardous Waste

Law # 202/2020 rolls out requirements for the management of hazardous waste, including:

- WMRA will establish a technical committee responsible for regulating, auditing, and evaluating all matters related to practices of hazardous waste management as well as limiting their use.
- A special license must be obtained (by WMRA) for the integrated management of hazardous waste and substances.
- Entities permitted to undertake hazardous waste management practices must ensure that all safety measures are implemented.
- An approval must be obtained from WMRA for the circulation of hazardous waste and substances.
- A record of hazardous waste and methods of disposal must be kept.
- Import, export, circulation, and distribution of hazardous waste material must be in accordance with the regulations set forth by the pertinent ministry (Ministry of Local Development/ Ministry of Housing) and upon obtaining the necessary permits from WMRA.
- A regular sterilization and disinfection process of the location of the facility producing hazardous waste must be conducted.
- Dumping hazardous waste in Egypt's territorial waters, continental shelf, exclusive economic zone, or high seas is prohibited.



Non-Hazardous Waste

Law # 202/2020 rolls out requirements for the management of non-hazardous waste, including:

- A license for the integrated management of non-hazardous waste must be obtained by WMRA.
- All precautions to avoid harming the environment from non-hazardous waste must be taken.
- A (1-year renewable) permit from WMRA must be obtained for companies that wish to import non-hazardous waste.
- The Ministry of Housing, Utilities and Urban Planning is the pertinent ministry for regulating and developing all matters related to household waste and waste of similar nature.
- The disposal of agricultural waste in waterways is prohibited.
- WMRA, in cooperation with the relevant administrative entities, is mandated with revising and implementing a new strategy to regulate demolition and construction waste.
- Industrial zones, investment zones, and free zones, in addition to the Industrial Development Authority, are mandated with developing and implementing a waste management strategy for industrial waste.
- Obligations on generators of industrial waste generators include:
 - Disposing of industrial waste in accordance with the proper practices outlined in the Law's Executive Regulations (TBD)
 - Separating industrial waste from other types of waste
 - Submitting their waste management plan to IDA when applying for the permit.



Law # 202/2020 contains provisions that, for the first time, limit the use of single use plastic bags.

- The law seeks to limit the manufacturing, import, export, use and free distribution of single-use plastic bags in Egypt by requiring that specific control and requirements be put in place to promote alternatives to single-use plastic bags.
- The Minister of Trade and Industry (MTI) is required to issue a decree that outlines the technical specifications and standards for the manufacturing, importation and exportation of single-use plastic bags.
- MTI may ban single use plastic bags if they include additives or components that cause grave danger to the environment.
- The Minister of Finance is required to issue a decree that provides financial, economic and customs incentives to promote the local production and importation of environment friendly alternatives to single-use plastic bags.
- Manufacturers and producers of non-compliant plastic bags shall be granted a grace period to complete the transformation.

Key Responsibilities and Obligations

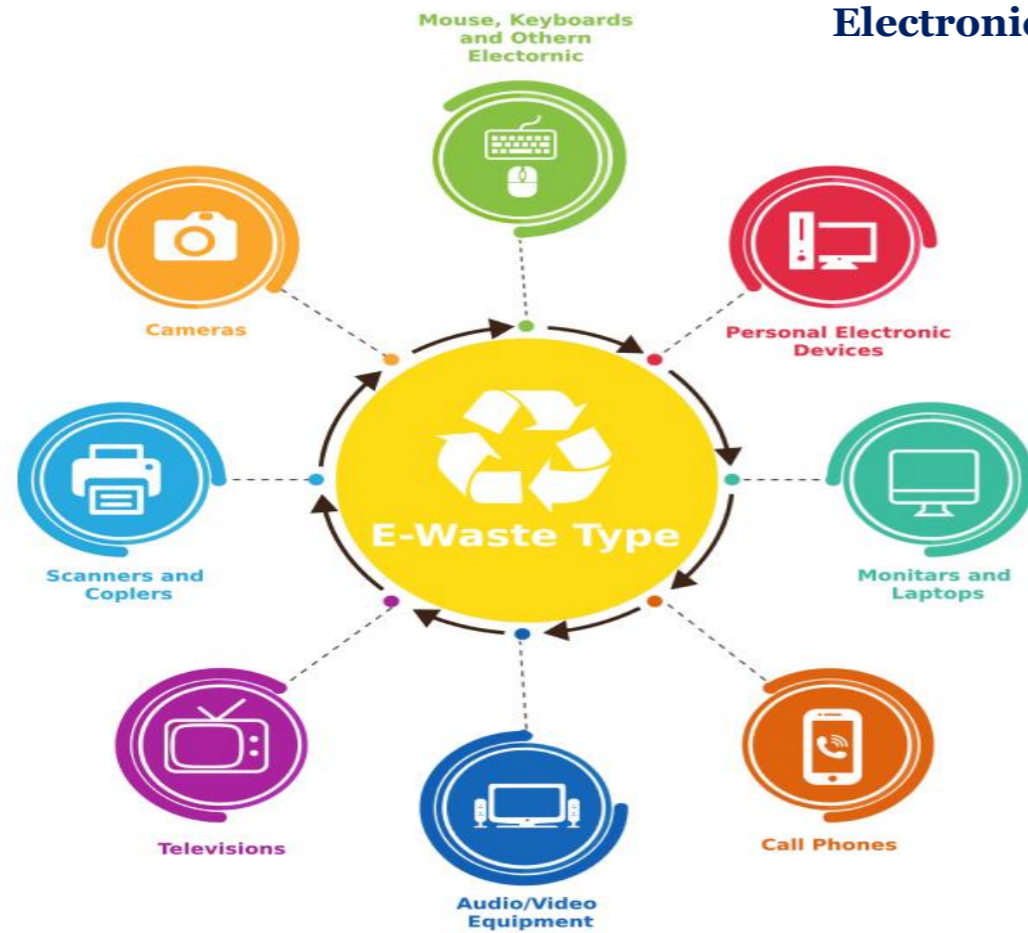
- Law # 202/2020 seeks to promote waste recycling and reuse by focusing on the integrated management of municipal, industrial, agricultural, demolition and construction waste, in addition to their safe disposal.
- Entities permitted to undertake waste management activities must bear financial costs to ensure efficient and safe waste management practices and measures.
- Entities must obtain WMRA's approval prior to mixing different waste materials.
- Companies and entities permitted to undertake waste management practices have the right to allocate up to 10% of their profits to support and strengthen the waste management institution.

Penalties

- Penalties for violating Law # 202/2020 range between EGP 1,000 (USD 65) and EGP 1 million (USD 65,000) in fines.
- The Law entails extending criminal liability to violators, who in turn can face imprisonment for up to 5 years.
- Selected members of WMRA may be granted law enforcement authority to implement the provisions of the Law.

GOVERNMENT DIRECTION

Electronic Waste Management



The Ministry of Environment has emphasized the importance of raising public awareness on the safe disposal of electronic waste and has taken the following steps:

- Issuing a Ministerial Decree establishing a national committee in charge of e-waste management
- Providing support to factories to formalize the e-waste management sector
- Supporting initiatives such as E-TADWEER app for e-waste management.
- Supporting initiatives such as PHONES FOR GOOD to ensure the safe disposal of e-waste, especially phones.
- Partnering with civil society to launch projects supporting the Government's e-waste management vision
- Posting instructional videos on social media platforms to increase public awareness.



Medical Waste Management

- The Government of Egypt is currently developing a policy and regulatory framework to attract investors into Egypt's medical waste management sector.
- The Government will launch tenders to build medical waste management facilities across different governments in partnership with the private sector, starting with the Greater Cairo area.



Waste to Energy

- A national strategy was developed at the state level.
- The Government of Egypt formed a national committee to study the various aspects related to the conversion of waste to energy. The committee will set the technical and financial controls necessary for contracting and conducting the technical evaluation of related projects.
- Some collected quantities of garbage were allocated, which reached about 20% of the collected municipal waste, equivalent to one million and a half tons annually, to be transformed into energy.
- The Ministry of Military Production signed partnership protocols with two companies to create factories for converting waste to energy.

Thank you

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